

# Notice of Allowability

Application No.

10/717,955

Examiner

Hai L. Nguyen

Applicant(s)

VU, HA C.

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/15/04.
2. ☒ The allowed claim(s) is/are 1-4, 6-15 and 17-20.
3. ☒ The drawings filed on 20 November 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 03/17/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

TIMOTHY P. CALLAHAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendment received on 07/15/04 has been reviewed and considered with the following results:

As to the objections to the specification, Applicant's amendments of the specification have overcome the objections, as such; the objections to the specification have been withdrawn.

As to the objections to the claims, Applicant's amendments have overcome the objections, as such; the objections have been withdrawn.

As to the rejections to claim 15, under 35 U.S.C. 112, 2<sup>nd</sup> paragraphs, Applicant's amendments have overcome the rejections, as such; the rejections have been withdrawn.

As to the prior art rejections to the claims, the prior art rejections of the claims made in the previous Office Action are now withdrawn in view of the examiner's amendment. Therefore the case is found to be in allowance condition for the reasons as set for below.

## **REASON FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose or suggest a circuit (300 in instant Fig.3) for dividing periodic input pulses (clkin) by a preset integer M (PLLDIV), as recited in claim 5, comprising a dual modulus prescaler (310); a swallow counter (330); and specifically the limitation directed to a program counter (320) to generate a reset signal (counter\_reset) in response to the prescaler receiving the Mth input pulse, and wherein the swallow counter changes the modulus control signal (DIV4) in response to the reset signal.

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Claim 9 is allowed for similar reasons; note the above discussion with regard to claim 1.


The prior art of record does not disclose or suggest a method (as shown in Figs. 7-10), as recited in claim 16, a step of generating the prescaled pulses (924) includes initializing (810) a vector of state variables (D2D1D0: 111) when the prescaled pulse is generated (CK45=1), and updating (820) the vector during the next input pulse in a way that is indifferent to the updated modulus control signal (DIV4=XX).

### *Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai L. Nguyen whose telephone number is 571-272-1747 and Right Fax number is 571-273-1747. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The official fax phone number for the organization where this application or proceeding is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1562.

HLN   
August 13, 2004